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UNCLAS SECTION 01 OF 02 PHNOM PENH 000062

SENSITIVE
SIPDIS

STATE FOR EAP/MLS

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TAGS: [PGOV](#) [PHUM](#) [ECON](#) [KDEM](#) [CB](#)
SUBJECT: HIGH-PROFILE PHNOM PENH LAND DISPUTE ENDS IN EVICTION

REFS: A) PHNOM PENH 60, B) 08 PHNOM PENH 1030

SENSITIVE BUT UNCLASSIFIED

11. (SBU) On January 24, police, municipal authorities, and employees of Cambodian construction firm 7NG evicted the remaining residents of Dey Krahorm, ending one of the city's most high-profile land disputes. Eighteen residents were reportedly injured, two seriously by bulldozers that were clearing houses, and the remainder in clashes with police and 7NG employees. The two seriously injured residents are currently hospitalized but are expected to recover in the next few days. 7NG trucks transported the approximately 130 evicted families to the community's designated resettlement site in Damnak Trayoeng, about 16 kilometers west of the city.

EARLY MORNING EVICTION -----

12. (SBU) Community members and NGO representatives reported that police began to surround the area at 2 AM. At 5 AM, employees and vehicles of 7NG, the company developing the property, entered the area and began to dismantle the remaining houses. Residents reportedly resisted by throwing stones at police officers and 7NG employees, and the police fired tear-gas canisters and used fire-hoses to disperse the crowd, leading to some of the reported injuries. Phnom Penh Deputy Governor Mann Chhoeun told Pol Assistant that he had instructed the police not to use violence during the eviction. He cited an example where one of the evictees allegedly attacked a police officer with an axe but was not arrested or harmed. At 6:30 AM, Poloff visited the neighborhood to observe the eviction, although police had blocked main access points to the area. A large, peaceful crowd had gathered just outside of the area to observe the incident.

CONFLICTING REPORTS ABOUT COMPENSATION -----

13. (U) The eviction follows three weeks of highly publicized negotiations between the Dey Krahorm community and 7NG, with the Phnom Penh Municipality acting as a middleman. 7NG issued a final offer of \$20,000 per family on January 13, which it has now rescinded. Deputy Governor Mann Chhoeun told the press on the day of the eviction that the evictees can still claim an earlier offer of \$15,000 per family, or a house in Damnak Trayoeng, but a conflicting January 25 news report quoted the Deputy Governor as saying that the evictees now only have the option to claim the offered house.

14. (SBU) Mann Chhoeun told Pol Assistant on January 26 that residents could still possibly negotiate with 7NG for a cash settlement, but that the housing would likely be their only option now. A representative of the UN Office of the High Commissioner for Human Rights (UNOHCR) told Poloff that she had met with the Deputy Governor as well and received a similar response. UNOHCR is now working with the residents to compile a list of those who would like to receive cash compensation. Residents will meet with the Deputy Governor in the afternoon on January 26.

15. (SBU) The majority of the evictees are now in the resettlement site at Damnak Trayoeng and are awaiting clarification on their compensation options. Human rights NGOs are criticizing the resettlement area as inadequate; the UNOHCR says that the site is better than many other resettlement areas. There are houses for the evictees, if they accept them, and 7NG is reportedly installing water facilities and building a school. The biggest challenge for those that resettle will be the distance from their jobs and schools. A group of about 20 families is staying in the Phnom Penh offices of the human rights NGO Cambodian League for the Promotion and Defense of Human Rights (LICADHO), which is providing legal assistance.

16. (SBU) 7NG is only offering 91 Dey Krahorm families some form of compensation. However, community representative Chan Vichet told Pol Assistant that the government and 7NG are not counting an additional 40 families that do not have recognized addresses for their residences (Ref B). The municipal government believes that some of these residents moved into the area after compensation negotiations began, but the lawyer advising the community believes the majority of these 40 families have legitimate possession claims.

COMMENT

17. (SBU) Human rights groups have condemned the police's actions as excessive and criticized the municipal government for conducting the eviction without sufficient warning. However, conducting the eviction early in the morning, on a weekend, and without notice may have prevented a larger, more violent confrontation in a highly populated area. Dey Krahorm is located in a crowded section of

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Phnom Penh (businesses were open, and two large wedding ceremonies were taking place just outside of the eviction area, for example), and community representatives had warned since the last eviction notice was issued on December 30 that they were prepared to use violence to resist eviction attempts.

18. (SBU) The NGO community will assert that the resolution of the Dey Krahorm dispute is unfair, and the municipality and 7NG will tout their generosity towards a community that they maintain did not have possession rights to the land (see Ref A). The Dey Krahorm community gambled that it could negotiate for market-value compensation for the land they were giving up, and they lost. Given the lack of transparency (on the part of the company, municipality, and the community) in the sale of Dey Krahorm, the legitimacy of the evictees' possession claims will likely never be established. However, the Dey Krahorm eviction now serves as an example to other urban communities engaged in land disputes that are making the same gamble.

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